

JUL 19 2005

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

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JUL 19 2005
TENT & TRADEMARK CO.
Applicant: Yuhua Li
Serial No.: 10/661,184
Filed: 09/12/2003
For: ALL OPTICAL REGENERATION
Examiner: Michael P. Mooney Group: 2883

Commissioner of Patents
And Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

I enclose the following papers:
1. Election

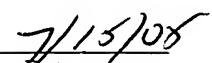
Please enter the above correspondence.

Respectfully submitted


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CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by facsimile transmission to: 703-872-9318 addressed to the: Commissioner of Patents and Trademarks, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.


Date

Brian S. Steinberger
(Name of Person Sending Facsimile)


(Signature of Person Sending Facsimile)
Customer No. 23717

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ELECTION

Sir:

In response to the Examiner's Action mailed March 21, 2005, Applicant elects to prosecute with traverse Species B, Embodiment 1, drawn to a 2R regeneration apparatus per figure 1 with a fiber parametric amplifier as disclosed in the spec. at page 7, lines 3-8; and as claimed in claims 1-4, 6-11, 16, 18, 19, 26-28, 30-35, 37, 38, 43, 44, 45, 49, and 50.

Based on the restriction requirement, Applicant lists embodiments as follows:

Species A, Embodiment 1, drawn to a 2R regeneration apparatus per figure 1 with a limiting amplifier as disclosed in the spec. from page 6, line 20 to page 7, line 2.

Species B, Embodiment 1, drawn to a 2R regeneration apparatus per figure 1 with a fiber parametric amplifier as disclosed in the spec. at page 7, lines 3-8.

Species A, Embodiment 2, drawn to a 3R regeneration apparatus that uses a pulsed light source with its timing provided by clock recovery as stated at page 7 lines 9-11.

Species B, Embodiment 2, drawn to a 3R regeneration apparatus that is different than the 2R regeneration apparatus and uses pulsed light source as stated at page 7 lines 9-11.

Applicant disagrees with the restriction requirement for several reasons. A policy consideration behind a restriction requirement would suggest that separate inventions exists that inherently would include separate prior art searches, examinations, examiners, etc. The Primary Examiner does not state that different art units and/or different examiners would need to search and examine the inventions of Species A and B, Embodiments 1 and 2. If Species A and B can be searched by the same art unit and further by the same examiner, then having different examiners conduct separate searches and examinations would not create an undue time and financial burden on both the patent office and on the applicant.

Again, in reference to the Restriction Requirement, Applicant elects to prosecute, with traverse, Species B, Embodiment 1, drawn to a 2R regeneration apparatus as claimed in claims 1-4, 6-11, 16, 18, 19, 26-28, 30-35, 37, 38, 43, 44, 45, 49, and 50.

Respectfully submitted:



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Date 7/15/05